



Substitute House Bill No. 5466

Public Act No. 16-131

***AN ACT CONCERNING CRIMINAL HISTORY RECORDS CHECKS
FOR HOUSEHOLD MEMBERS OF A FAMILY CHILD CARE HOME
AND PROVIDING CHILD CARE FOR ASSISTANCE RECIPIENTS
ENROLLED IN APPROVED HIGHER EDUCATION PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (c) of section 19a-87b of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The commissioner, within available appropriations, shall require each initial applicant or prospective employee of a family child care home in a position requiring the provision of care to a child, including an assistant or substitute staff member and each household member who is sixteen years of age or older, to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a. The commissioner shall also request a check of the state child abuse registry established pursuant to section 17a-101k. The commissioner shall notify each licensee of the provisions of this subsection. For purposes of this subsection, "household member" means any person, other than the person who is licensed to conduct, operate or maintain a family child care home, who resides in the

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family child care home, such as the licensee's spouse or children, tenants and any other occupant.

Sec. 2. Subsection (a) of section 19a-87e of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Early Childhood may (1) refuse to license under section 19a-87b, as amended by this act, a person to own, conduct, operate or maintain a family child care home, as defined in section 19a-77, (2) refuse to approve under section 19a-87b, as amended by this act, a person to act as an assistant or substitute staff member in a family child care home, as defined in section 19a-77, or (3) suspend or revoke the license or approval or take any other action that may be set forth in regulation that may be adopted pursuant to section 19a-79 if the person who owns, conducts, maintains or operates the family child care home, the person who acts as an assistant or substitute staff member in a family child care home, [or] a person employed in such family child care home in a position connected with the provision of care to a child receiving child care services or a household member, as defined in subsection (c) of section 19a-87b, as amended by this act, who is sixteen years of age or older and resides therein, has been convicted, in this state or any other state of a felony, as defined in section 53a-25, involving the use, attempted use or threatened use of physical force against another person, or has a criminal record in this state or any other state that the commissioner reasonably believes renders the person unsuitable to own, conduct, operate or maintain or be employed by a family child care home, or act as an assistant or substitute staff member in a family child care home, or if such persons or [a person residing in the household] a household member has been convicted in this state or any other state of cruelty to persons under section 53-20, injury or risk of injury to or impairing morals of children under section 53-21, abandonment of children

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under the age of six years under section 53-23, or any felony where the victim of the felony is a child under eighteen years of age, a violation of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a, illegal manufacture, distribution, sale, prescription, dispensing or administration under section 21a-277 or 21a-278, or illegal possession under section 21a-279, or if such person, a person who acts as assistant or substitute staff member in a family child care home or a person employed in such family child care home in a position connected with the provision of care to a child receiving child care services, either fails to substantially comply with the regulations adopted pursuant to section 19a-87b, as amended by this act, or conducts, operates or maintains the home in a manner which endangers the health, safety and welfare of the children receiving child care services. Any refusal of a license or approval pursuant to this section shall be rendered in accordance with the provisions of sections 46a-79 to 46a-81, inclusive. Any person whose license or approval has been revoked pursuant to this section shall be ineligible to apply for a license or approval for a period of one year from the effective date of revocation.

Sec. 3. Subsection (c) of section 19a-87e of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any person who is licensed to conduct, operate or maintain a family child care home or approved to act as an assistant or substitute staff member in a family child care home shall notify the commissioner of any conviction of the owner, conductor, operator or maintainer of the family child care home or of any [person residing in the] household member, as defined in subsection (c) of section 19a-87b, as amended by this act, who is sixteen years of age or older, or any person employed in such family child care home in a position connected with the provision of care to a child receiving child care services, of a crime which affects the commissioner's discretion under subsection (a) of this

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section, immediately upon obtaining knowledge of such conviction. Failure to comply with the notification requirement of this subsection may result in the suspension or revocation of the license or approval or the taking of any other action against a license or approval set forth in regulation adopted pursuant to section 19a-79 and shall subject the licensee or approved staff member to a civil penalty of not more than one hundred dollars per day for each day after the person obtained knowledge of the conviction.

Sec. 4. Subsection (a) of section 17b-749 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The Commissioner of Early Childhood shall establish and operate a child care subsidy program to increase the availability, affordability and quality of child care services for families with a parent or caretaker who (1) is working or attending high school, or (2) receives cash assistance under the temporary family assistance program from the Department of Social Services and is participating in an [approved] education, training or other job preparation activity approved pursuant to subsection (b) of section 17b-688i, as amended by this act, or subsection (b) of section 17b-689d, as amended by this act. Services available under the child care subsidy program shall include the provision of child care subsidies for children under the age of thirteen or children under the age of nineteen with special needs. The Office of Early Childhood shall open and maintain enrollment for the child care subsidy program and shall administer such program within the existing budgetary resources available. The office shall issue a notice on the office's Internet web site any time the office closes the program to new applications, changes eligibility requirements, changes program benefits or makes any other change to the program's status or terms, [provided] except the office shall not be required to issue such notice when the office expands program eligibility. Any

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change in the office's acceptance of new applications, eligibility requirements, program benefits or any other change to the program's status or terms for which the office is required to give notice pursuant to this subsection, shall not be effective until thirty days after the office issues such notice.

Sec. 5. Subsection (b) of section 17b-688i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) [To the extent permitted under section 17b-688c, the] The Labor Department shall be responsible for the administration of employment services to recipients of temporary family assistance under the employment services program, administered by the Department of Social Services pursuant to section [17-688c] 17b-688c. The employment services provided by the Labor Department shall include appropriate basic education and occupational skills training combined with subsidized or unsubsidized work experience and employment, as deemed appropriate by the Labor Department, and any other programs or services deemed appropriate by the Labor Department, to the extent permitted under state and federal law, including, but not limited to, the following: (1) Employment; (2) work-study, internship or apprenticeship opportunities; (3) adult skills training, including literacy, mathematics and language proficiency with curriculum related to job opportunities and job search skills; (4) occupational skills training; (5) case management and counseling in successful work skills; (6) enrollment at a public or independent institution of higher education; and [(6)] (7) access to state-subsidized child care and transportation, where needed. Services may be provided by existing service providers, including, but not limited to, local or regional boards of education or regional educational service centers that offer adult education programs, community-technical colleges, [and] technical high schools and public and independent institutions of

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higher education.

Sec. 6. Subsection (b) of section 17b-689d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) To the extent permissible under federal law, the Labor Commissioner, in consultation with the Commissioner of Social Services, [may] shall approve education courses as required employment activities for a recipient of temporary family assistance. [Education] Such education courses [that may be approved] shall include, but are not limited to: (1) [Two-year or four-year college degree] Degree programs offered at public and independent institutions of higher education, and (2) high school graduate equivalency degree or basic education programs for recipients otherwise ineligible to enroll in such programs during their first twenty weekly hours of required employment activities.

Sec. 7. Section 17b-112j of the general statutes is repealed. (*Effective July 1, 2016*)

Approved June 7, 2016